PADSTOW TOWN COUNCIL

Scheme of Delegation and Committees' Terms of Reference

POLICY/PROTOCOL/PROCEDURE			
Version	V2.1 FINAL	**Comments**	
Approval Date	13 May 2025	**Responsible Officer**	Town Clerk
Committee	N/A	**Approval by**	Full Council

VERSION HISTORY		
Date	**Version**	**Comments**
March 2025	Draft 2025	Draft 2025 agreed by FGP 18 Feb 2025 without change, minute ref FGP2024/25.
25 March 2025	V1	Agreed and adopted by FC, to be operational from May 2025 (new Council).
26 March 2025	V1.1	Town Clerk placed in template and minor typos (as agreed by FC), also included index.
13 May 2025	V2 FINAL	Agreed and adopted by FC with some minor updates/amendments
24 Feb 2026	V2.1 FINAL	Changes made to Planning and Highways Cttee ToR agreed by Council 24.2.26

REVIEW RECORD		
Date Review initiated	**Review undertaken by i.e. officer/ Cttee/Council**	**Summary of any recommended updates/changes to be made**
February/March 2025	Town Clerk, Council officers, C & VC and Committee Chairs	Complete Committee structure review.
May 2025	Town Clerk	New Council adoption with minor amendments.

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Delegation to Committees

The following matters are delegated to Council Committees to make decisions on behalf of the Council. The delegated decision making by Committees must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget. Where they are delegated to Committee, so far as is legally permissible, they be deemed the acts and proceedings of the Council.

The Council may at any time, following resolution, revoke any delegated authority, without prejudice to execution action already taken. Committees may decide not to exercise delegated responsibilities and may instead make a recommendation to Council. Similarly, where a committee has no delegated power to make a decision it makes a recommendation to Council.

The Council and each Committee is authorised to establish sub-committees and working groups, and to appoint advisors as and when necessary to assist in its work. The work of which to be decided upon at the time it is formed by means of a Minute detailing the terms of reference. To report back with recommendations to the Council or the Committee that formed it.

Written minutes will be taken to record the Committee's decisions. If the item is within delegated powers the minutes will record the decision as RESOLVED. If it is not within the delegated powers the minutes will show RECOMMENDED with the minutes taken to full Council for approval or adoption as appropriate, relevant Committee for consideration.

Padstow Town Council has established the following Committees with delegated responsibilities, their terms of reference detailing their delegations is attached, as well as the Staffing Scheme of Delegation:

Committee	Scope
Community and Facilities Committee	The Council has established this Committee to oversee all Council property/facilities whether owned, leased or managed and its community functions and activities.
Personnel and Staffing Committee	The Council has established this Committee whose primary purpose is to ensure the Council complies with the requirements of employment law and follows best practice in providing good working conditions for staff, including health and safety. Overseeing the appraisal process and training programmes for both staff and Councillors.
Finance and General Purposes Committee	To oversee and monitor the Council's finances, ensuring adequate financial controls are in place to utilise and protect both Council finances and its assets, including insurance and lease matters in accordance with legislation, guidance and the Council's Financial Regulations and Standing Orders and compliance on regulatory matters such as FOI and Data Protection.
Planning and Highways Committee	To undertake the role of the Council as a statutory consultee, reviewing/commenting on planning applications as advised by the principal authority. Responding on any matters relating to heritage, highways, byways, footpaths and transport issues that affect the Parish. Responding to consultations on planning matters and be lead committee for the Parish's Neighbourhood Development Plan.

Community and Facilities Committee

Scope:	The Council has established this Committee to oversee all Council property/facilities whether owned, leased or managed and its community functions and activities.
Membership:	Seven elected Councillors
Quorum:	Four members
Meetings:	At least 6 meetings a year, to be scheduled on the first Tuesday bi-monthly at 7.00 pm. Additional meetings to be arranged as required.
Non-Members:	Any member of Council is able to attend and participate at the discretion of the Chair on items on the agenda but must be seated in the public area and must leave the room whenever the press and public are excluded.
Chair/Vice-Chair:	Council to appoint Committee Chair at the Annual Meeting of Council. First item of business at its first meeting after the Annual Town Council meeting to elect Vice-Chair , if Committee thought appropriate, although any elected Committee member can preside by agreement in the Chair's absence.
Sub-Committees/ Working Groups	Committee is able to constitute to study any aspect within the Committee's remit. Making recommendations to the parent Committee. Members of the public can be co-opted on to assist.

Delegated Functions:
Committee has **full delegated powers** to make decisions on behalf of the Council **provided that any expenditure is within the Committee budget and within the limits as detailed in the Council's Financial Regulations**, in the following matters:

1. Approval of its minutes as true and accurate records.
2. To manage its own work programme effectively, mindful of workload pressures.
3. Consideration of any recommendations of sub-committees/working groups under the Committee's control.
4. All matters relating to the maintenance, operation and activities within, of:

i.	All open spaces either owned or leased by Padstow Town Council which includes Stile Field, Wheal Jubilee Parc, Spritty Meadow, Plantation, The Green and Empty Purse (Trevone)
ii.	Play areas, including Multi-Use Games Area, skate park and Lawns U12's Play Park
iii.	Padstow Cemetery
iv.	St Petroc's Closed Churchyard
v.	War Memorials – Stile Field and Dennis Hill
vi.	Rope Walk Allotments
vii.	Railway and Lawns Car Parks
viii.	Public Conveniences Railway, Cory and North Quay
viiii.	Council buildings including Council Offices, Community Hub, Lawns Car Park buildings/garages
v.	Railway Car Park Red Phone Box
vi.	Any other property which shall be acquired from time to time.

5. All matters relating to and taking place in the public realm including:

i.	Public shelters and bus shelters
ii.	Public and Memorial seats
iii.	Litter/dog waste bins

iv.	Signage
v.	Noticeboards
vi.	Planters
vii.	Streetlights (Railway and Lawns Car Parks)
viii.	Flag poles – Station House and The Green (Trevone)

6. The maintenance, improvement and general upkeep of all Councils' properties/assets (detailed in 3 and 4 above) within the agreed budget and development of annual plans including tree management plans to support this.
7. To ensure that the Council has the appropriate equipment and vehicles to be able to administer 6 above.
8. To implement, monitor and manage Cornwall Council's Service Level Agreements within the remit of this Committee.
9. To ensure the effective planning and delivery of community events/initiatives.
10. To respond on behalf of the Council on any consultations within the remit of this Committee.
11. Acceptance of tenders and supervision of contracted projects within the remit of this Committee and provided within budget set by Council.
12. All aspects of Health and Safety that fall within the remit of Committee and within Council Policy to ensure compliance with the HASAW Act 1974 and other relevant legislation.
13. To apply for any grants, as appropriate.
14. To consider such matters as may be delegated by the Council from time-to-time.

Functions for Recommendation:
Committee to make **RECOMMENDATIONS** to **Full Council/Finance and General Purposes Committee** in the following matters:

For Council:
1. Any matter within the remit of the Committee which is not within the Committee's budget or within the limits as detailed in the Council's Financial Regulations .
2. Any matter falling within the remit of the Committee which involves the introduction of a new policy, changes to existing policy or not within any existing policy, future direction of strategy.
3. Any recommendations arising from joint working with other bodies or Council Committees.

For Finance and General Purposes Committee:
4. Consideration of annual estimates of income including level of fees and charges, expenditure on continuing services and capital expenditure for the forthcoming year to feed into the budget setting process.

Personnel and Staffing Committee

Scope:	The Council has established this Committee whose primary purpose is to ensure the Council complies with the requirements of employment law and follows best practice in providing good working conditions for staff, including health and safety. Overseeing the appraisal process and training programmes for both staff and Councillors.
Membership:	Five elected Councillors
Quorum:	Three members
Meetings:	At least 5 meetings a year - June, September, November (budget), January (appraisals) & March at 7.00 pm. Additional meetings to be arranged as required.
Non-Members:	Any member of Council is able to attend and participate at the discretion of the Chair on items on the agenda but must be seated in the public area and must leave the room whenever the press and public are excluded.
Chair/Vice-Chair:	Council to appoint Committee Chair at the Annual Meeting of Council. First item of business at its first meeting after the Annual Town Council meeting to elect Vice-Chair , if Committee thought appropriate, although any elected Committee member can preside by agreement in the Chair's absence.
Standing Sub-Committee:	Grievance and Disciplinary Hearing Panel (Appendix 1). Has delegated power to make decisions on Grievance and Disciplinary matters on behalf of the Town Council reporting the Panel's decision to the Staffing Committee for information.
Sub-Committees/ Working Groups	Committee is able to constitute to study any aspect within the Committee's remit. Making recommendations to the parent Committee. Members of the public can be co-opted on to assist.

Delegated Functions:
Committee has **full delegated powers** to make decisions on behalf of the Council **provided that any expenditure is within the Committee budget and within the limits as detailed in the Council's Financial Regulations**, in the following matters:

1. Approval of its minutes as true and accurate records.
2. To manage its own work programme effectively, mindful of workload pressures.
3. To ensure the Council has best advice and kept up to date with developments in employment law by employing specialist HR support.
4. To oversee the staff appraisal process.
5. To oversee the management of the Town Clerk to include undertaking the annual appraisal by a member of the Staffing Committee (usually the Chair, unless the Chair of the Council) in consultation with the Chair of the Council.
6. To promote mutual trust, respect and courtesy for staff and councillors.
7. To keep under review staff work/life balance, working conditions, health and safety and wellbeing, including monitoring of absence and annual review of staff and Committee workloads.
8. To have oversight of matters relating to health and safety, liaising as appropriate with other Committees, to ensure the co-ordination of an effective culture of health and safety throughout the Council to ensure compliance with the HASAW Act 1974 and other relevant legislation.

9. To receive regular reports on health and safety matters which should include claims, accidents, incidents and insurance issues, along with reports on the annual health and safety review, liaising as appropriate with other Committees.
10. To administer the Council's Grievance and disciplinary procedures and taking the appropriate action in accordance with Council policies, including seeking any professional assistance to assist and resolve.
11. To oversee staff and councillor training programmes to include regular updates on training undertaken and training requirements.
12. To oversee the staff and councillor induction process.
13. To oversee the recruitment and selection process for all staff and where required, assist the Town Clerk in the recruitment of new staff.
14. To undertake the recruitment and selection process of the Town Clerk including making the appointment with any associated costs.
15. To consider such matters as may be delegated by the Council from time-to-time.

Functions for Recommendation:
Committee to make **RECOMMENDATIONS** to **Full Council/Finance and General Purposes Committee** in the following matters:

For Council:
1. Any matter within the remit of the Committee which is not within the Committee's budget or within the limits as detailed in the Council's Financial Regulations.
2. Any matter falling within the remit of the Committee which involves the introduction of a new policy, changes to existing policy or not within any existing policy, future direction of strategy.
3. Any matter relating to staff contracts of employment and their terms and conditions which require review to comply with the law and with good practice.
4. Any matter relating to staffing levels and pay and grading structures following review and to comply with the law and with good practice.
5. Any matter relating to recruitment, retention and development of all staff.
6. Any recommendations arising from joint working with other bodies or Council Committees.
7. Consideration of requests to exercise Local Government Pension Scheme (LGPS) discretions as outlined in the Council's Employer Discretions Policy.

For Finance and General Purposes Committee:
8. Consideration of staffing and training costs for the forthcoming year to feed into the budget setting process.

Committee: Personnel and Staffing Committee
Standing Sub-Committee: Grievance and Disciplinary Hearing Panel
Panel terms of reference for consideration and inclusion in the Staffing Committee's Terms of Reference are as follows:

- Panel to consist of three panel members of mixed gender, wherever possible (from within the Staffing Committee);
- Two members acting as substitute Sub-Committee members (from within the Staffing Committee); if necessary;
- Where possible, all members serving on the Grievance and Disciplinary Hearing Panel to have undertaken appropriate training and/or taken actively take advice from Council's HR advisors;
- The Grievance and Disciplinary Hearing Panel to be given delegated power to make a decision on Grievance and Disciplinary matters on behalf of the Town Council reporting the Panel's decision to the Staffing Committee for information;
- Panel to follow Council policy in respect of any Grievance or Disciplinary matter;
- If changes to any Council policy or practice are required as a result of their considerations, the Panel to recommend such changes to the Staffing Committee for them to consider who in turn will recommend any changes to Council.

Dealing with Appeals:
Only the Full Council can elect an Appeal Hearing Panel as follows:-

- Three panel member of mixed gender, wherever possible (who are not members of the Staffing Committee) with;
- Two additional members acting as substitute members, if necessary (who are not members of the Staffing Committee);
- Where possible, all members serving on the Appeal Hearing Panel to have undertaken appropriate training and/or taken actively take advice from Council's HR advisors;
- The Appeal Hearing Panel to be given delegated power to make a final decision on appeals matters on behalf of the Town Council reporting the Panel's final decision to the Staffing Committee for information.

Committee: Personnel and Staffing Committee
Standing Sub-Committee: Stage Three Performance Improvement Hearing Panel
Panel terms of reference for consideration and inclusion in the Personnel and Staffing Committee's Terms of Reference are as follows:-

- Panel to consist of three panel members of mixed gender, wherever possible (from within the Staffing Committee);
- Two members acting as substitute Sub-Committee members (from within the Staffing Committee); if necessary;
- Where possible, all members serving on the Stage Three Performance Improvement Hearing Panel to have undertaken appropriate training and/or taken advice from Council's HR advisors;
- The Stage Three Performance Improvement Hearing Panel to be given delegated power to make a decision on Stage Three Performance matters on behalf of the Town Council reporting the Panel's decision to the Personnel and Staffing Committee for information;
- Panel to follow Council policy in respect of any Performance matter;
- If changes to any Council policy or practice are required as a result of their considerations, the Panel to recommend such changes to the Personnel and Staffing Committee for them to consider who in turn will recommend any changes to Council.

Dealing with Appeals:
Only the Full Council can elect an Appeal Hearing Panel as follows:-

- Three panel member of mixed gender, wherever possible (who are not members of the Staffing Committee) with;
- Two additional members acting as substitute members, if necessary (who are not members of the Personnel and Staffing Committee);
- Where possible, all members serving on the Appeal Hearing Panel to have undertaken appropriate training and/or taken actively take advice from Council's HR advisors;
- The Appeal Hearing Panel to be given delegated power to make a final decision on appeals matters on behalf of the Town Council reporting the Panel's final decision to the Staffing Committee for information.

Appendix 3

Committee: Personnel and Staffing Committee
Standing Sub-Committee: Stage Three Sickness Absence Hearing Panel
Panel terms of reference for consideration and inclusion in the Personnel and Staffing Committee's Terms of Reference are as follows:-

- Panel to consist of three panel members of mixed gender, wherever possible (from within the Staffing Committee);
- Two members acting as substitute Sub-Committee members (from within the Personnel and Staffing Committee); if necessary;
- Where possible, all members serving on the Stage Three Sickness Absence Hearing Panel to have undertaken appropriate training and/or taken advice from Council's HR advisors;
- The Stage Three Sickness Absence Hearing Panel to be given delegated power to make a decision on Stage Three sickness matters on behalf of the Town Council reporting the Panel's decision to the Personnel and Staffing Committee for information;
- Panel to follow Council policy in respect of any sickness matter;
- If changes to any Council policy or practice are required as a result of their considerations, the Panel to recommend such changes to the Personnel and Staffing Committee for them to consider who in turn will recommend any changes to Council.

Dealing with Appeals:
Only the Full Council can elect an Appeal Hearing Panel as follows:-

- Three panel member of mixed gender, wherever possible (who are not members of the Staffing Committee) with;
- Two additional members acting as substitute members, if necessary (who are not members of the Personnel and Staffing Committee);
- Where possible, all members serving on the Appeal Hearing Panel to have undertaken appropriate training and/or taken actively take advice from Council's HR advisors;
- The Appeal Hearing Panel to be given delegated power to make a final decision on appeals matters on behalf of the Town Council reporting the Panel's final decision to the Staffing Committee for information.

Finance and General Purposes Committee

Scope:	To oversee and monitor the Council's finances, ensuring adequate financial controls are in place to utilise and protect both Council finances and its assets, including insurance and lease matters in accordance with legislation, guidance and the Council's Financial Regulations and Standing Orders and compliance on regulatory matters such as FOI and Data Protection.
Membership:	Eight elected Councillors (to include Chair, Vice-Chair, Cttee Chairs (except Planning and Highways Cttee).
Quorum:	Four members
Meetings:	At least 6 meetings a year – April (grants), June, July, September, November (budget) and February at 7 pm. Additional meetings to be arranged as required.
Non-Members:	Any member of Council is able to attend and participate at the discretion of the Chair on items on the agenda but must be seated in the public area and must leave the room whenever the press and public are excluded.
Chair/Vice-Chair:	Council to appoint Committee Chair at the Annual Meeting of Council. First item of business at its first meeting after the Annual Town Council meeting to elect Vice-Chair , if Committee thought appropriate, although any elected Committee member can preside by agreement in the Chair's absence.
Sub-Committees/ Working Groups	Committee is able to constitute to study any aspect within the Committee's remit. Making recommendations to the parent Committee. There will be no non-Council members.

Delegated Functions:
Committee has **full delegated powers** to make decisions on behalf of the Council **provided that any expenditure is within the Committee budget and within the limits as detailed in the Council's Financial Regulations**, in the following matters:

1. Approval of its minutes as true and accurate records.
2. To manage its own work programme effectively, mindful of workload pressures.
3. To ensure that adequate financial controls are in place to utilise and protect the Council's finances and assets and to have charge over the financial and accounting arrangements of the Council.
4. To ensure the preservation of probity and good financial and other practices within the Council, including accountability for debt monitoring and recovery.
5. To ensure appropriate insurances are in place.
6. To maintain an asset register on all Town Council property liaising with other Committees, as appropriate.
7. To ensure that the Council's registered title is held at the Land registry liaising with other Committees, as appropriate.
8. To undertake budget monitoring and taking action where required on the virement (transfer) of funds between any Council budgets.
9. To ensure that an adequate and effective system of internal controls are in place to secure the integrity of Council finances. To ensure that both internal and external audits are undertaken and to monitor the implementation of any recommendations therein.
10. To ensure that all matters under the remit of this Committee are in accordance with legislation, statutes and the Council's Financial Regulations and Standing Orders.
11. To review Council fees and charges, liaising with relevant committees on an annual basis.
12. To monitor and review the Council's Risk Management Policy Statement and Risk Management Scheme.
13. To manage and review the Council's annual Community Grant scheme.
14. To decide on matters related to the Council's corporate identity to include branding, logo/crest, website and publicity matters, not already delegated to the Town Clerk.
15. To manage the Council properties in terms of tenancies and rent reviews.
16. To negotiate any changes to existing lease/licence arrangements and negotiate terms for all new lease/licence arrangements, whether acting as tenant or landlord.
17. Exercising the Town Council's powers to direct as to the custody of parish property and documents, in accordance with the provisions of the Local Government Act 1972 s. 226.
18. To decide on matters regarding the future provision of civic regalia.
19. All aspects of Health and Safety that fall within the remit of the committee and liaising with other Committee to ensure appropriate budgets in place in this regard.
20. To manage the Council's IT and telephony provision.
21. To ensure Council is compliant in terms of FOI and Data Protection.
22. To have an overview of the Council's complaints policy and procedure.
23. To consider such matters as may be delegated by the Council from time-to-time.

Functions for Recommendation:
Committee to make **RECOMMENDATIONS** to **Full Council** in the following matters:

1. Any matter within the remit of the Committee which is not within the Committee's budget or within the limits as detailed in the Council's Financial Regulations.
2. Any matter falling within the remit of the Committee which involves the introduction of a new policy, changes to existing policy or not within any existing policy, future direction of strategy.
3. Any recommendations arising from joint working with other bodies or Council Committees.

4. The Council's annual budget following review and consultation with other Committees in its preparation. Council to also consider member allowances and precept.
5. Amendments to the Council's Financial Regulations and Council Standing Orders following regular review to ensure that the Council is observing the Regulations.
6. The Council's Annual Business Plan following review during the budget setting process.
7. The provision for future capital projects and the use of Council reserves.
8. The securing and security of all Town Council property and land.
9. Considerations arising from monitoring the implementation of recommendations within internal or external audit reports.
10. Regarding the prosecution or defence of any legal proceedings.
11. The use of powers to acquire by agreement, or to dispose of land in accordance with the provisions of the Local Government Act 1972 s.139.
12. The use of its powers to accept gifts, including land, in accordance with the provisions of the Local Government Act 1972 s. 139.
13. Consideration of requests to exercise Local Government Pension Scheme (LGPS) discretions, as outlined in the Council's Employer Discretions Policy.

Planning and Highways Committee

Scope:	To undertake the role of the Council as a statutory consultee, reviewing/commenting on planning applications as advised by the principal authority. Responding on any matters relating to heritage, highways, byways, footpaths and transport issues that affect the Parish. Responding to consultations on planning matters and be lead committee for the Parish's Neighbourhood Development Plan.
Membership:	Six elected Councillors
Quorum:	Three members.
Meetings:	The Committee will meet on the 2nd Tuesday of each month at 7pm. Additional meetings to be arranged as required.
Non-Members:	Any member of Council is able to attend and participate at the discretion of the Chair on items on the agenda but must be seated in the public area and must leave the room whenever the press and public are excluded.
Chair/Vice-Chair:	Council to appoint Committee Chair at the Annual Meeting of Council. First item of business at its first meeting after the Annual Town Council meeting to elect Vice-Chair , if Committee thought appropriate, although any elected Committee member can preside by agreement in the Chair's absence.
Sub-Committees/ Working Groups	Committee is able to constitute to study any aspect within the Committee's remit. Making recommendations to the parent Committee. Members of the public can be co-opted on to assist.

Delegated Functions:
Committee has **full delegated powers** to make decisions on behalf of the Council **provided that any expenditure is within the Committee budget and within the**

limits as detailed in the Council's Financial Regulations, in the following matters:

Responsibilities

The Committee **will have full delegated powers** in respect of –

1. Approval of its minutes as true and accurate records.
2. To manage its own work programme effectively, mindful of workload pressures.
3. The Council's response to all applications for development within Padstow Town Council area (including Listed Building, Conservation Area consent, consent for advertisement displays etc) received from Cornwall Council.
4. Responding to consultation documents regarding tree preservation and other matters regarding general land development (local and national policy).
5. The consideration of all appeals against planning refusal by Cornwall Council within Padstow Town Council area and the submission of comments to the relevant bodies.
6. The consideration of any proposals for new and any review of Cornwall Council structure plans, local plans and any other consultation document of a planning nature.
7. The appointment of a member of the committee to represent the Council at Cornwall Council planning meetings as appropriate.
8. Consultation with other relevant bodies with similar interests including other Town Council committees and sub-committees and consideration of their recommendations.
9. To respond to any matters relating to heritage, highways, byways, footpaths and transport issues that affect the Parish i.e. Traffic Regulations Orders, public transport network and parking enforcement issues, liaising with other Committees as appropriate.
10. To respond on behalf of the Council on any consultations within the remit of the Committee
11. To be Lead Committee to oversee and review the Parish's Neighbourhood Development Plan.
12. To consider such matters as may be delegated by the Council from time-to-time.

Functions for Recommendation:

Committee to make **RECOMMENDATIONS** to **Full Council** in the following matters:

1. Any matter within the remit of the Committee which is not within the Committee's budget or within the limits as detailed in the Council's Financial Regulations.
2. Any matter falling within the remit of the Committee which involves the introduction of a new policy, changes to existing policy or not within any existing policy, future direction of strategy.
3. Any recommendations arising from joint working with other bodies or Council Committees.

Staffing Scheme of Delegation

Proper Officer:
The Town Clerk is designated and authorised to act as the Proper Officer for the purpose of all relevant sections of the local Government Act 1972 and any other statue requiring the designation of a Proper Officer. The Responsible Financial Officer being the appropriate officer to act in financial matters of the Council.

General Matters: Members of staff have delegated powers as outlined below in addition to any delegations given for specific works/projects by Council or Committees with the appropriate delegated powers.

Key: TC – Town Clerk, RFO – Responsible Financial Officer,
ATC/ARFO – Assistant Town Clerk/Assistant Responsible Financial Officer

In the absence of the Town Clerk to exercise any functions delegated to the Town Clerk.		ATC/ARFO and RFO
Staffing		
1	To engage temporary staff as and when required within budget	TC
2	To authorise overtime and staff expenses claims for all staff	RFO, TC
Finance		
1	To enter into contracts for the purchase and supply of goods and services, providing within budgets set in accordance with the Financial Regulations and relevant approval granted by Council	RFO, TC

2	To hire plant from contractors and engage specialist sub-contractors, providing within budgets set in accordance with the Financial Regulations and relevant approval granted by Council	RFO, TC
3	To sell or otherwise dispose of surplus materials, equipment and goods, salvage scrap and other waste providing not listed in asset register	TC, RFO
4	To use the repairs and maintenance budgets for the maintenance, replacement or repair of existing plant, vehicles or equipment.	RFO, TC
5	To incur urgent expenditure in respect of any H & S risk within the parish, until a meeting of the Council can be called and to designate officers to carry out emergency functions	TC
6	To operate the Councils banking arrangements	RFO and/or ATC/ARFO set up payments, TC authorise.
7	To pay salaries	RFO and/or ATC/ARFO set up payments and TC authorise
8	To collect all income due to the Council, including appropriate interest and costs	RFO and/or ATC/ARFO
9	To take any proceedings or other steps as necessary to enforce and recover any debt owing to the Council.	RFO and/or ATC/ARFO
Legal		
1	Subject to prior consultation with the Mayor &/or other relevant Committee Chairs, to take all appropriate steps to secure the Council's legal position in cases of urgency with regard to its assets or in aid of its statutory functions.	TC, RFO
2	To make applications for all statutory consents necessitated by any approved Council proposal or development.	TC
3	*To sign any document necessary to give effect to any decision of the Council on behalf of the Council. **As per Council's Standing Orders legal deeds to be signed by 2 Councillors and witnessed by the Proper Officer.*	TC
Other		
1	To grant permissions for use of recreational open space in accordance with Council policy – if any and statutory requirements	TC
2	To issue free parking permits in accordance with council policy	TC
3	Subject to necessary approvals to erect or authorise street furniture, barriers signs etc	TC

4	To allocate burial spaces and issue deeds of exclusive rights and approve wording on memorials	TC
5	To alter the date or time of a Council or committee meeting following consultation with the appropriate Chair	TC
6	To decide arrangements for closure of the Council offices in the Christmas/New Year period subject to consultation with the Mayor	TC
7	Banners on railings – to agree to location of banners (former Highways, Roads and Transport Committee June 2012)	TC
8	Subject to prior consultation with the Mayor/Chair or, in his/her absence, the Deputy Major/Chair to take appropriate actions arising from urgent matters or emergencies. Any action to be reported and ratified at the next available Council meeting. NB: This authority may **not** be used to decide on the following: i) anything contrary to Council policy, ii) issuing a precept, iii) determining borrowing limits, iv) approving a lottery scheme; and iv) considering an auditor's report.	TC

PADSTOW TOWN COUNCIL
STANDING ORDERS

POLICY/PROTOCOL/PROCEDURE			
Version	FINAL v3	**Comments**	
Approval Date	15.5.25	**Responsible Officer**	Town Clerk
Committee	N/A	**Approval by**	Full Council

VERSION HISTORY		
Date	**Version**	**Comments**
25.3.25	Draftv1	Council made changes to SOs (NALC Model SOs)
2.4.25	Draftv2	TC updated following Council meeting, amended some typos and placed in template.
29.4.25	FINAL v1	Received and adopted by Council.
2.5.25	Draftv3	Updated via tracked changes – NALC updated Model Standing Orders 2025 Update (England)
13.5.25	FINAL v3	Accepted changed and adopted by Council.

REVIEW RECORD		
Date Review initiated	**Review undertaken by i.e. officer/ Cttee/Council**	**Summary of any recommended updates/changes to be made**

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INTRODUCTION

These standing orders as based upon the National Association of Local Councils (NALC) model standing orders published in 2018, updated in April 2022 and further updated May 2025.

Text within these standing orders that are in **bold type** contain legal and statutory requirements. These have been adopted without changing them or their meaning.

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1. RULES OF DEBATE AT MEETINGS

a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.

b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.

c A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.

d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.

e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.

f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.

g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chair.

h A councillor may move an amendment to their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.

i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair of the meeting.

j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.

k One or more amendments may be discussed together if the chair of the meeting considers this expedient but each amendment shall be voted upon separately.

l A councillor may not move more than one amendment to an original or substantive motion.

m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 2 minutes.

n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

o Unless permitted by the chair of the meeting, a councillor may speak once in the debate on a motion except:

i. to speak on an amendment moved by another councillor;

ii. to move or speak on another amendment if the motion has been amended since

they last spoke;

iii. to make a point of order;

iv. to give a personal explanation; or

v. to exercise a right of reply.

p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.

q A point of order shall be decided by the chair of the meeting and this decision shall be final.

r When a motion is under debate, no other motion shall be moved except:

i. to amend the motion;
ii. to proceed to the next business;
iii. to adjourn the debate;
iv. to put the motion to a vote;
v. to ask a person to be no longer heard or to leave the meeting;
vi. to refer a motion to a committee or sub-committee for consideration;
vii. to exclude the public and press;
viii. to adjourn the meeting; or
ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.

s Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.

t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed five minutes without the consent of the chair of the meeting.

u If two or more Councillors wish to speak at the same time the chair shall decide on the order in which they are heard.

2. DISORDERLY CONDUCT AT MEETINGS

a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.

b If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

c If a resolution made under standing order 2(b) is ignored, the chair of the meeting may

take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

Full Council meetings
Committee meetings
Sub-committee meetings

a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**

b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**

c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**

d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**

e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda either during public participation or at the invitation of the chair of the meeting.

f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed fifteen minutes unless directed by the chair of the meeting.

g Subject to standing order 3(f), a member of the public shall not speak for more than five minutes

h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.

i A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chair of the meeting may at any time permit a person to be seated when speaking.

j A person who speaks at a meeting shall direct their comments to the chair of

the meeting.

k Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.

l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**

m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**

n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-Chair of the Council (if there is one).**

p **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**

r **The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.**

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.

s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

t The minutes of a meeting shall include an accurate record of the following:

i. the time and place of the meeting;

ii. the names of councillors who are present and the names of councillors who are absent;

iii. interests that have been declared by councillors and non-councillors with voting rights;

iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;

v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;

vi. if there was a public participation session; and

vii. the resolutions made.

u **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.**

v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.** Quorum for Padstow Town Council shall be four.

See standing order 4d(vi) for the quorum of a committee or sub-committee meeting.

w **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

x A meeting shall not exceed a period of 2.5 hours.

4. COMMITTEES AND SUB-COMMITTEES

a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

d The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:

i. shall determine their terms of reference including the scheme of delegation;

ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;

iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;

iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee so as to hold office no later than the next annual meeting of Council.

v. shall, after it has appointed the members of a standing committee, appoint the chair of the standing committee;shall permit all committees other than a standing committee, at its first meeting after the Annual Town Council meeting before proceeding with any business to appoint its own chair.

vi. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, shall be half the committee membership or three, whichever the greater (numbers to be rounded up);

vii. shall determine if the public may participate at a meeting of a committee;

viii. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;

ix. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and

x. may dissolve a committee or a sub-committee.

xi. Shall determine that the maximum number of Councillors on any Committee shall be two-thirds of the Council.

5. ORDINARY COUNCIL MEETINGS

a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**

b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**

c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**

d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.** No meetings of full Council will be held in August or December. Meetings will commence at 7.30 pm and be held on the last Tuesday of each month unless otherwise decided at the previous meeting.

e **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council** together with the

signing of the Chair's acceptance of office – if it is not signed then it should be determined when it will be signed.

f **The Chair of the Council, unless they have resigned or becomedisqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**

g **The Vice-Chair of the Council, if there is one, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**

h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**

i **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**

j Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:

i. **In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of their acceptance of office form unless the Council resolves for this to be done at a later date;**

ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;

iii. Review of delegation arrangements/terms of reference to committees, sub-committees, staff and other local authorities;

iv. To appoint standing/new committees;

v. To appoint members to standing/existing/new committees;

vi. shall, after it has appointed the members of a committee (standing order 5(j)(v)) appoint the chair.

vii. To appoint Council representatives to outside organisations;

viii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competency in the future;

ix. Setting the dates, times and place of ordinary meetings of the Full Council and its commitees for the year ahead.

x. Receipt of the minutes of the last meeting of a committee;

xi. Consideration of the recommendations made by a committee;

xii. Review and adoption of appropriate standing orders and financial regulations;

xiii. Confirmation of arrangements for insurance cover in respect of all insurable risks;

xiv. Review of the Council's complaints procedure;

xv. Review of the Council's policy for dealing with the press/media;

6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**

b **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**

c The chair of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.

d If the chair of a committee [or a sub-committee] does not call an extraordinary meeting within seven days of having been requested to do so by three members of the committee [or the sub-committee], any three members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

7. PREVIOUS RESOLUTIONS

a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least seven councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. VOTING ON APPOINTMENTS

a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chair of the meeting.

b Councillors shall vote by show of hands or, if a resolution is carried by one half of the Councillors present, by ballot.

9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least seven clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.

c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.

d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least seven clear days before the meeting.

e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

g A motion shall not relate to any matter which may be considered under the Council's Code of Conduct, complaints procedure or employment policies.

h Motions received shall be recorded and numbered in the order that they are received.

i Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

a The following motions may be moved at a meeting without written notice to the Proper Officer:

i. to correct an inaccuracy in the draft minutes of a meeting;
ii. to move to a vote;
iii. to defer consideration of a motion;
iv. to refer a motion to a particular committee or sub-committee;
v. to appoint a person to preside at a meeting;

vi. to change the order of business on the agenda;
vii. to proceed to the next business on the agenda;
viii. to require a written report;
ix. to appoint a committee or sub-committee and their members;
x. to extend the time limits for speaking;
xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
xii. to not hear further from a councillor or a member of the public;
xiii. to exclude a councillor or member of the public for disorderly conduct;
xiv. to temporarily suspend the meeting;
xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
xvi. to adjourn the meeting; or
xvii. to close the meeting.

11. MANAGEMENT OF INFORMATION

See also standing order 20.

a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**

b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**

c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**

d **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

12. DRAFT MINUTES

Full Council meetings
Committee meetings
Sub-committee meetings

a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.

b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).

c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

d If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The chair of this meeting does not believe that the minutes of the meeting of the [Council or relevant Committee] held on [date] in respect of [minute number] were a correct record but their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."

e Subject to the publication of draft minutes in accordance with standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u).

a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.

b Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.

c Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.

d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

e A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.

f A dispensation request shall confirm:

i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;

ii. whether the dispensation is required to participate at a meeting in a discussion only

or a discussion and a vote;

iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and

iv. an explanation as to why the dispensation is sought.

g Subject to standing orders 13(d) and (f), a dispensation request shall be considered at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.

h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**

i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;

ii. granting the dispensation is in the interests of persons living in the Council's area; or

iii. it is otherwise appropriate to grant a dispensation.

14. CODE OF CONDUCT COMPLAINTS

a **Upon notification by the Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.**

15. PROPER OFFICER

a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.

b The Proper Officer shall:

i. **at least three clear days before a meeting of the council, a committee** or a sub-committee,

- **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
- **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See standing order 3(b) for the meaning of clear days for a meeting of a full council

and standing order 3(c) for the meaning of clear days for a meeting of a committee;

ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least seven days before the meeting confirming their withdrawal of it;

iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;**

iv. **facilitate inspection of the minute book by local government electors;**

v. **receive and retain copies of byelaws made by other local authorities;**

vi. hold acceptance of office forms from councillors;

vii. hold a copy of every councillor's register of interests;

viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;

ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);

x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;

xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);

xii. arrange for legal deeds to be executed;
(*see also standing order 23);*

xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;

xiv. record every planning application notified to the Council and the Council's response to the local planning authority in an electronic file for such purpose;

xv. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders or scheme of delegation.

xvi. manage access to information about the Council via the publication scheme.

16. RESPONSIBLE FINANCIAL OFFICER

a The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

17. ACCOUNTS AND ACCOUNTING STATEMENTS

a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".

b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.

c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:

i. the Council's receipts and payments (or income and expenditure) for each quarter;

ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;

iii. the balances held at the end of the quarter being reported and

which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and

ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.

e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 5 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. FINANCIAL CONTROLS AND PROCUREMENT

a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

i. the keeping of accounting records and systems of internal controls;
ii. the assessment and management of financial risks faced by the Council;
iii. the work of the independent internal auditor in accordance with proper practices and

the receipt of regular reports from the internal auditor, which shall be required at least annually;

iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and

v. whether contracts with an estimated value below **£100,000** due to special circumstances are exempt from a tendering process or procurement exercise.

b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

c. The Council's tender process is detailed in appendix 1, which is followed for contracts for the supply of goods, materials, services or the execution of works subject to additional requirements in the Council's financial regulations.

d. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

e. **Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement rules. NALC's procurement guidance contains further details.**

19. HANDLING STAFF MATTERS

a A matter personal to a member of staff that is being considered by a meeting of Council, the Staffing Committee or apanel appointed by the Staffing Committee is subject to standing order 11.

b Subject to the Council's policy regarding absences from work, the Council's Town Clerk shall notify the chair of the Council or, if they are not available, the vice-chair of the Council of absence occasioned by illness or other reason and that person shall report such absence to the Staffing Committeeat its next meeting.

c The Chair of the Council and Chair of the Staffing Commitee or in their absence, the Vice-Chair of Council/Vice Chair of the Staffing Committee shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Town Clerk. All other staff appraisals to be undertaken by the relevant line manager. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Staffing Committe.

d Subject to the Council's policy regarding the handling of grievance matters, the Town Clerk (or other members of staff) shall contact the chair of the Staffing Committee or in their absence, the Vice-Chair of the Staffing Commitee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Staffing Committee.

e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Town Clerk relates to the chair or vice-chair of the Staffing Commitee, this shall be communicated to another member of the Staffing Committee, which shall be reported back and progressed by resolution of the Staffing

Committee.

f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

g In accordance with standing order 11(a), persons with line management responsibilities or officers required to support the administration of a staffing matter shall have access to staff records referred to in standing order 19(f).

20. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21.

a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

b. **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).
See also standing order 11.

a The Council may appoint a Data Protection Officer.

b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.**

c **The Council shall have a written policy in place for responding to and managing a personal data breach.**

d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**

e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**

f **The Council shall maintain a written record of its processing activities.**

22. RELATIONS WITH THE PRESS/MEDIA

a All requests from the press or other media for an oral or written comment or statement from the Council shall be processed by the Town Clerk.

b In accordance with the Council's policy in respect of dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

23. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing orders 15(b)(xii) and (xvii).

a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

b **Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

24. COMMUNICATING WITH UNITARY COUNCILLORS

a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Local Councillor of Cornwall Council representing the parish of Padstow.

b Unless the Council determines otherwise, a copy of each letter sent to the Cornwall Council shall be sent to the Local Councillor representing the parish of Padstow.

25. RESTRICTIONS ON COUNCILLOR ACTIVITIES

a. Unless duly authorised no councillor shall:

i. inspect any land and/or premises which the Council has a right or duty to inspect; or

ii. issue orders, instructions or directions;

iii. incur any expenditure on behalf of the Council or issue an instruction to incur expenditure.

26. STANDING ORDERS GENERALLY

a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least nine councillors to be given to the Proper Officer in accordance with standing order 9.

c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.

d The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

Appendix 1 - Tender process

1) Any invitation to tender shall state the general nature of the intended contract and the Town Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases.

2) The invitation shall in addition state that tenders must be addressed to the Town Clerk or RFO in the ordinary course of post, unless an electronic tendering process has been agreed by the Council.

3) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Town Clerk or RFO in the presence of at least one Councillor.

4) Where an electronic tendering process is used, the Council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.

5) Any invitation to tender issued under this regulation shall be subject to the Council's Standing Orders and shall refer to the terms of the Bribery Act 2010.

6) Where the Council, or duly delegated Committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

PADSTOW TOWN COUNCIL
FINANCIAL REGULATIONS

POLICY/PROTOCOL/PROCEDURE			
Version	V2.1	**Comments**	Date of next review: Feb 27
Approval Date	25.2.25 (V2)	**Responsible Officer**	RFO
Committee	FGP	**Approval by**	Full Council

VERSION HISTORY		
Date	**Version**	**Comments**
	July 2023 Final	
18 Feb 2025	Draft 2025	Draft 2025 agreed by FGP 18 Feb 2025 without change, minute ref FGP2024/25.
25 Feb 2025	V1	Draft 2025 adopted by FC as per FGP recommendation minute ref 2024/176 renamed V1.
13 May 2025	V2. FINAL	Accepted and adopted by Council without change.
10 February 2026	V2.1 Draft	Reviewed by RFO for consideration by FGP at its meeting on 17 Feb 26.
24 February 2026	V2.1 FINAL	Annual review – Approved and adopted by FC 24.2.26 min ref 2025/207 as per FGP recommendation FGP2025/40 17.2.26

REVIEW RECORD		
Date Review initiated	**Review undertaken by i.e. officer/ Cttee/Council**	**Summary of any recommended updates/changes to be made**
January 2025	Reviewed by RFO with ATC/RFO and TC, recommendations taken to February FGP for consideration	Updated to NALC model version with adaptations for local requirements.
February 2026	Reviewed, take to Feb FGP for consideration as V2.1	Inclusion of PTC's general reserve policy, fixed asset threshold. Clarification re tender method and tenders after the deadline. Remove duplication of the RFO being responsible for the collection of debts in 13.2

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1. General

1.1 These Financial Regulations govern the financial management of the Council and may only be amended or varied by resolution of the Council. They are one of the Council's governing documents and shall be observed in conjunction with the Council's Standing Orders.

1.2 Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of Councillor into disrepute.

1.3 Wilful breach of these regulations by an employee may result in disciplinary proceedings.

1.4 In these Financial Regulations:

- 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
- "Approve" refers to an online action, allowing an electronic transaction to take place.
- "Authorise" refers to a decision by the Council, or a Committee or an officer, to allow something to happen.
- 'Proper practices' means those set out in The Practitioners' Guide.
- Practitioners' Guide refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England.
- 'Must' and bold text refer to a statutory obligation the Council cannot change.
- 'Shall' refers to a non-statutory instruction by the Council to its
- Councillors and staff.

1.5 The Responsible Financial Officer (RFO) holds a statutory office, appointed by the Council. The RFO:

- Acts under the policy direction of the Council;
- Administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices;
- Determines on behalf of the Council its accounting records and control systems;
- Ensures the accounting control systems are observed;
- Ensures the accounting records are kept up to date;
- Seeks economy, efficiency and effectiveness in the use of Council resources; and
- Produces financial management information as required by the Council.

1.6 **The Council must not delegate any decision regarding:**

- **Setting the final budget or the precept (Council tax requirement);**
- **The outcome of a review of the effectiveness of its internal controls;**
- **Approving accounting statements;**
- **Approving an annual governance statement;**
- **Borrowing;**
- **Declaring eligibility for the General Power of Competence; and**
- **Addressing recommendations from the internal or external auditors.**

1.7 In addition, the Council shall:

- Determine and regularly review the bank mandate for all Council bank accounts;
- Authorise any grant or single commitment in excess of £20,000.

2. Risk management and internal control

2.1 **The Council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**

2.2 The Town Clerk, with the RFO, shall prepare for approval by the Full Council, a risk management policy covering all activities of the Council. This policy and consequential risk management arrangements shall be reviewed by the Council at least annually.

2.3 **At least once a year, the Council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**

2.4 **The accounting control systems determined by the RFO must include measures to:**

- **Ensure that risk is appropriately managed;**
- **Ensure the prompt, accurate recording of financial transactions;**
- **Prevent and detect inaccuracy or fraud;**
- **Allow the reconstitution of any lost records; and**
- **Identify the duties of officers dealing with transactions; and ensure division of responsibilities.**

2.5 At least once in each quarter, and at each financial year end, a Councillor who is either the Chair or Vice-Chair of the Finance and General Purposes Committee shall verify bank reconciliations for all accounts produced by the RFO. The Councillor shall sign and date the reconciliations and the original bank statements as evidence of this. This activity, including any exceptions, shall be reported to and noted by the Full Council.

2.6 Regular back-up copies shall be made of the records on any Council computer and stored either online or in a separate location from the computer. The Council shall put measures in place to ensure that the ability to access any Council computer is not lost if an employee leaves or is incapacitated for any reason.

3. Accounts and audit

3.1 All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.

3.2 **The accounting records determined by the RFO must be sufficient to explain the Council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:**

- **Day-to-day entries of all sums of money received and expended by the Council and the matters to which they relate; and**
- **A record of the assets and liabilities of the Council;**

3.3 The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return.

3.4 The RFO shall complete and certify the annual Accounting Statements of the Council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them with any related documents to the Full Council, within the timescales required by the Accounts and Audit Regulations.

3.5 **The Council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**

3.6 **Any officer or Councillor must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit** and shall, as directed by the Council, supply the RFO, internal auditor, or external auditor with such information and explanation as the Council considers necessary.

3.7 The internal auditor shall be appointed by the Full Council and shall carry out their work to evaluate the effectiveness of the Council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.

3.8 The Council shall ensure that the internal auditor:

- Is competent and independent of the financial operations of the Council;
- Reports to the Full Council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
- Can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- Has no involvement in the management or control of the Council.

3.9 Internal or external auditors may not under any circumstances:

- Perform any operational duties for the Council;
- Initiate or approve accounting transactions;
- Provide financial, legal or other advice including in relation to any future transactions; or
- Direct the activities of any Council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

3.10 For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.

3.11 The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

3.12 The RFO shall, without undue delay, bring to the attention of all Councillors any correspondence or report from internal or external auditors, unless the correspondence is of a purely administrative matter.

4. Budget and precept

4.1 **Before setting a precept, the Council must calculate its Council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**

4.2 Budgets for salaries and wages, including employer contributions shall be reviewed by the Staffing Committee at least annually in October or November for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Town Clerk and the Chair of the Staffing Committee.

4.3 No later than October each year, the RFO shall prepare a draft budget with detailed estimates of all income and expenditure for the following financial

year, taking account of the lifespan of assets and cost implications of repair or replacement.

4.4 Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds from the Council's Community Grant Scheme, may only be carried forward (by placing them in an earmarked reserve) with the formal approval of the Full Council and in accordance with any policy agreed by the Council.

4.5 Each Committee shall review its draft budget and submit any proposed amendments to the Finance and General Purposes Committee not later than the end of November each year.

4.6 The draft budget, with any Committee proposals, including any recommendations for the use or accumulation of reserves, shall be considered by the Finance and General Purposes Committee and a recommendation made to the Full Council.

4.7 Having considered the proposed budget, the Full Council shall determine its Council tax requirement by setting a budget. The Council shall set a precept for this amount no later than the end of December for the ensuing financial year.

4.8 **Any member with Council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must disclose at the start of the meeting that Section 106 applies to them.**

4.9 The RFO shall **issue the precept to the billing authority no later than the end of February** and supply each member with a copy of the agreed annual budget.

4.10 The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.

4.11 Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the Full Council.

4.12 The Council is reliant on non-guaranteed sources of income, so will hold a minimum of 12 months' revenue expenditure in free reserves (the General Fund).

5. Procurement

5.1 **Councillors and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.

5.2 The RFO or Town Clerk should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases for items over £20,000, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.

5.3 Every contract shall comply with the Council's Standing Orders and these Financial Regulations, and no exceptions shall be made, except in an emergency.

5.4 **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Public Contracts Regulations 2015 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.**

5.5 Where the estimated value is below the Government threshold, the Council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:

5.6 For contracts estimated to exceed £100,000 excluding VAT, the Town Clerk shall advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.

5.7 **For contracts estimated to be over £30,000 including VAT, the Council must comply with any requirements of the Legislation[1] regarding the advertising of contract opportunities and the publication of notices about the award of contracts.**

5.8 For contracts greater than £20,000 excluding VAT the Town Clerk or RFO shall seek at least 3 fixed price quotes;

5.9 Where the value of a contract or purchase is between £3,000 and £20,000 excluding VAT, the Town Clerk or RFO shall try to obtain 3 estimates, which might include evidence of online prices, or recent prices from regular suppliers.

5.10 For smaller purchases, the Town Clerk or RFO shall seek to achieve value for money.

5.11 **Contracts must not be split into smaller lots to avoid compliance with these rules.**

5.12 The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:

[1] The Regulations require Councils to use the Contracts Finder website if they advertise contract opportunities and also to publicise the award of contracts over £30,000 including VAT, regardless of whether they were advertised.

i. Specialist services, such as legal professionals acting in disputes;
ii. Repairs to, or parts for, existing machinery or equipment;
iii. Works, goods or services that constitute an extension of an existing contract;
iv. Goods or services that are only available from one supplier or are sold at a fixed price.

5.13 When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the Full Council or relevant Committee. Avoidance of competition is not a valid reason.

5.14 The Council shall not be obliged to accept the lowest or any tender, quote or estimate.

5.15 Individual purchases within an agreed budget for that type of expenditure may be authorised by:

- The Town or RFO, under delegated authority, for any items below £5,000 excluding VAT.
- The Town Clerk, in consultation with the Chair of the Council or Chair of the appropriate Committee, for any items below £10,000 but above £5,000, excluding VAT.
- A duly delegated Committee of the Council for all items of expenditure within their delegated budgets for items under £20,000 but above £10,000 excluding VAT.
- In respect of grants, a duly authorised Committee within any limits set by Council and in accordance with any policy agreed by the Council.
- The Full Council for all items over £20,000 excluding VAT.

Such authorisation must be supported by a minute (in the case of Council or Committee decisions) or other auditable evidence trail.

5.16 No individual Councillor, or informal group of Councillors may issue an official order or make any contract on behalf of the Council.

5.17 No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the Full Council or a duly delegated Committee acting within its Terms of Reference except in an emergency.

5.18 In cases of serious risk to the delivery of Council services or to public safety on Council premises, the Town Clerk or RFO may authorise expenditure of up to £5,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such

expenditure. The Town Clerk or RFO shall report such action to the Chair as soon as possible and to the Full Council as soon as practicable thereafter.

5.19 No expenditure shall be authorised, no contract entered into, or tender accepted in relation to any major project, unless the Council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.

5.20 An official order or letter shall be issued for all work, goods and services above £50 excluding VAT unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.

5.21 Any ordering system can be misused and access to them shall be controlled by the RFO and the Town Clerk.

6. Banking and payments

6.1 The Council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the Council; banking arrangements shall not be delegated to a Committee. The Council has resolved to bank with Lloyds Bank and Barclays Bank. The arrangements shall be reviewed regularly for security and efficiency.

6.2 The Council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised, and only authorised payments shall be approved or signed to allow the funds to leave the Council's bank.

6.3 All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the Council before being certified by the RFO, Town Clerk or Assistant Town Clerk and Assistant RFO.

6.4 Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.

6.5 All payments shall be made by online banking or cheque, following approval by two members who are bank signatories, unless the Council resolves to use a different payment method. All invoices will be available for inspection by Councillors.

6.6 For each financial year the RFO may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as salaries, PAYE, National Insurance, pension contributions, rent, rates, regular maintenance

contracts and similar items), which the Council may authorise in advance for the year.

6.7 A list of such payments shall be reported to the next appropriate meeting of the Full Council for information only.

6.8 The Town Clerk and RFO shall have delegated authority to authorise payments in the following circumstances:

i. any payments of up to £500 excluding VAT, within an agreed budget.

ii. payments of up to £5,000 excluding VAT in cases of serious risk to the delivery of Council services or to public safety on Council premises.

iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 or to comply with contractual terms, where the due date for payment is before the next scheduled meeting of the Full Council, where the Town Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of the Full Council.

iv. Fund transfers within the Council's banking arrangements up to the sum of £100,000.

6.9 The RFO or Town Clerk shall present a schedule of payments that have been made, following approval by two members who are bank signatories, forming part of the agenda for the meeting, to the Full Council. The Council shall review the schedule for compliance and, having satisfied itself, shall ratify the payments made or authorise payments by resolution. The authorised schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

7. Electronic payments

7.1 Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator, supported by the Assistant Town Clerk/Assistant RFO. The bank mandate will be agreed by the Council. Dual authorisation is required for all payments.

7.2 All authorised signatories may have access to view the Council's bank accounts online.

7.3 No employee or Councillor shall disclose any PIN or password, relevant to the Council or its banking, to anyone not authorised in writing by the Council.

7.4 The Service Administrator or the Assistant Town Clerk/Assistant RFO shall set up all items due for payment online. A list of payments for approval shall be sent by email to the authorised Councillor signatories.

7.5 Two authorised Councillor signatories are required to approve the payments before the payments are made online by BACS or CHAPS. One member of staff who is a bank signatory will input the payments and another member of staff who is a bank signatory will approve (meaning to process) the payments.

7.6 Evidence shall be retained showing which Councillors approved the payment online and confirmation of the transaction date and administrating officer shall be appended to the invoices for audit purposes.

7.7 A full list of all payments made in a month shall be provided to the next Full Council meeting and appended to the minutes as per 6.9 above.

7.8 With the approval of the Full Council in each case, regular payments (such as gas, electricity, telephone, broadband, water, Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are signed/approved by two authorised signatories. The approval of the use of each variable direct debit shall be reviewed by the Council at least every two years.

7.9 If thought appropriate by the Council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed/approved by two authorised signatories, evidence of this is retained and any payments are reported to Council when made. The approval of the use of a banker's standing order shall be reviewed by the Council at least every two years.

7.10 Account details for suppliers may only be changed upon written notification by the supplier verified by two of either the Town Clerk, RFO or Assistant Town Clerk/Assistant RFO. This is a potential area for fraud and the individuals involved should ensure that any change is genuine.

7.11 Councillors and officers shall ensure that any computer used for the Council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.

7.12 Remembered password facilities, other than secure password stores requiring separate identity verification, should not be used on any computer used for Council banking.

8. Cheque payments

8.1 Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by two bank signatories.

8.2 A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.

8.3 To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil.

8.4 Any signatures obtained away from Council meetings shall be reported to the Full Council at the next convenient meeting.

9. Payment cards

9.1 Any debit or credit card issued for use will be specifically restricted to the Town Clerk, RFO and Assistant Town Clerk/Assistant RFO for the purchase of items within an agreed budget up to a maximum value of £500 excluding VAT for a single transaction. Any credit card balance shall be paid full each month.

9.2 Any corporate credit card or trade card account opened by the Council will be specifically restricted to use by the Town Clerk, RFO and Assistant Town Clerk/Assistant RFO and any balance shall be paid in full each month.

9.3 Personal credit or debit cards of Councillors or staff shall not be used except for expenses of up to £250 including VAT, incurred in accordance with Council policy.

10. Petty Cash

10.1 The RFO shall maintain a petty cash imprest account of £200 and may provide petty cash to officers for the purpose of defraying operational and other expenses.

a) Vouchers for payments made from petty cash shall be kept, along with receipts to substantiate every payment.

b) Cash income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.

c) Payments to maintain the petty cash float shall be shown separately on any schedule of payments presented for approval.

11. Payment of salaries and allowances

11.1 As an employer, the Council must make arrangements to comply with the statutory requirements of PAYE legislation.

11.2 **Councillor allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**

11.3 Salary rates shall be agreed by the Council, or a duly delegated Committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the Full Council or Staffing Committee.

11.4 Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.

11.5 Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.

11.6 Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook.

11.7 Any termination payments shall be supported by a report to the Staffing Committee, setting out a clear business case. Termination payments shall only be authorised by the Full Council, following a recommendation of the Staffing Committee.

11.8 The Town Clerk has delegated authority to appoint temporary staff, provided within budget.

12. Loans and investments

12.1 Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the Full Council and recorded in the minutes. All borrowing shall be in the name of the Council, after obtaining any necessary approval.

12.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the Full Council, following a written report on the value for money of the proposed transaction.

12.3 The Council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the Council at least annually and agreed by the Full Council.

12.4 All investment of money under the control of the Council shall be in the name of the Council. Short term investment of funds in interest-bearing accounts with either Lloyds Bank or Barclays Bank can be arranged by the Chair of Finance, Town Clerk and RFO.

12.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

12.6 Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

13. Income

13.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.

13.2 The Council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, informed by the reports of the most appropriate officer.

13.3 Any sums found to be irrecoverable, and any bad debts shall be reported to the Full Council by the RFO and shall be written off in the year. The Council's approval shall be shown in the accounting records.

13.4 All sums received on behalf of the Council shall be deposited intact with the Council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

13.5 Personal cheques shall not be cashed out of money held on behalf of the Council.

13.6 The RFO shall ensure that VAT is correctly recorded in the Council's accounting software and that any VAT Return required is submitted from the software by the due date.

14. Payments under contracts for building or other construction works

14.1 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the surveyor or other consultant engaged to supervise the works (subject to any percentage withholding as may be agreed in the particular contract).

14.2 Any variation, addition to or omission from a contract must be authorised by the Town Clerk to the contractor in writing, with the Full Council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

15. Stores and equipment

15.1 The staff member in charge of each section shall be responsible for the care and custody of stores and equipment in that section.

15.2 Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

15.3 Stocks shall be kept at the minimum levels consistent with operational requirements.

16. Assets, properties and estates

16.1 The Town Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the Council.

16.2 The Town Clerk and RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the Council, their location, extent, plan, reference, purchase details (if known), nature of the interest, tenancies granted, rents payable and purpose for which held, in accordance with Accounts and Audit Regulations.

16.3 The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

16.4 No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law. In each case a written report shall be provided to the Full Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate where required by law).

16.5 No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the Council, together with any other consents required by law, except where the estimated value of any one item does not exceed £1,000 excluding VAT. In each case above £1,000, a written report shall be provided to the Full Council with a full business case.

16.6 Assets costing £10,000 or more will be recorded as fixed assets at the acquisition cost, with items less than £10,000 recorded as general consumables.

17. Insurance

17.1 The Town Clerk or RFO shall keep a record of all insurances effected by the Council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the Council's review of risk management.

17.2 The Town Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

17.3 The Town Clerk or RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to the Full Council at the next available meeting. The Town Clerk or RFO shall negotiate all claims on the Council's insurers.

17.4 All appropriate Councillors and employees of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Full Council, or duly delegated Committee.

18. Suspension and revision of Financial Regulations

18.1 The Council shall review these Financial Regulations regularly and following any change of Town Clerk or RFO. The Clerk and RFO shall monitor changes in legislation or proper practices and advise the Council of any need to amend these Financial Regulations.

18.2 The Council may, by resolution duly notified prior to the relevant meeting of the Full Council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the Council to act unlawfully.

18.3 The Council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

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Appendix 1 - Tender process

1) Any invitation to tender shall state the general nature of the intended contract and the Town Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases.

2) The invitation shall in addition state that tenders must be addressed to the Town Clerk or RFO in the ordinary course of post, unless an electronic tendering process is stated as the preferred method which has been agreed by either the relevant Council Committee or the Council.

3) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Town Clerk or RFO in the presence of at least one Councillor. Tenders submitted after the deadline or not in the format required will not be considered.

4) Where an electronic tendering process is used, the Council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.

5) Any invitation to tender issued under this regulation shall be subject to the Council's Standing Orders and shall refer to the terms of the Bribery Act 2010.

6) Where the Council, or duly delegated Committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

PADSTOW TOWN COUNCIL
FREEDOM OF INFORMATION ACT
MODEL PUBLICIATION SCHEME

POLICY/PROTOCOL/PROCEDURE			
Version	V2.1 FINAL	**Comments**	
Approval Date	13 May 2025	**Responsible Officer**	TC
Committee	FGP	**Approval by**	Full Council

VERSION HISTORY		
Date	**Version**	**Comments**
May 2022	V2	Placed into updated template.
May 2025	V2.1 Draft for approval	Reviewed by Town Clerk, no changes to main document. Appendix updated.
13 May 2025	V2.1 FINAL	Accepted and Adopted by Council

REVIEW RECORD		
Date Review initiated	**Review undertaken by i.e. officer/ Cttee/Council**	**Summary of any recommended updates/changes to be made**

Freedom of Information Act

This model publication scheme has been prepared and approved by the Information Commissioner. It has been adopted without modification by Padstow Town Council.

This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits an authority:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information which is held by the authority and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the authority makes available under the scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.
- To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act section 19.
  The term "dataset" is defined in section 11(5) of the Freedom of Information Act. The term "relevant copyright work" is defined in section 19(8) of the act.

Classes of information

Who we are and what we do

Organisational information, locations and contacts, constitutional and legal governance.

What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

What our priorities are and how we are doing

Strategy and performance information, plans, assessments, inspections and reviews.

How we make decisions.

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

Our policies and procedures

Current written protocols for delivering our functions and responsibilities.

Lists and registers

Information held in registers required by law and other lists and registers relating to the functions of the authority.

The services we offer

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

The method by which information published under this scheme will be made available

The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available

on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as;

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with the terms of the Re-use of Public Sector Information Regulations 2015, where they apply, or with regulations made under section 11B

of the Freedom of Information Act, or with other statutory powers of the public authority.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written requests

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

PADSTOW TOWN COUNCIL
Council Offices Station House
Padstow
Cornwall, PL28 8DA
Tel: 01841 532296
Email: enquiries@padstow-tc.gov.uk
Website: www.padstow-tc.gov.uk

APPENDIX

Information available from Padstow Town Council under the Model Publication Scheme

Information to be published	How the information can be obtained	Cost
Class 1 - Who we are and what we do (Organisational information, structures, locations and contacts) **Current information only**	Website Email Hard copy	Free Free 10p/sheet
List of Council members and their responsibilities as well as list of Council Committees Details of any representation on local public bodies	Website Email Hard Copy	Free Free 10p/sheet
Postal and email address Contact details for Town Clerk and Council members	Website Email Hard Copy	Free Free 10p/sheet
Location of main Council office and accessibility details	Website Email Hard Copy	Free Free 10p/sheet
Organisational Chart (staffing structure)	Website Email Hard Copy	Free Free 10p/sheet

Class 2 – What we spend and how we spend it (Financial information about projected and actual income and expenditure, procurement, contracts and financial audit) **Current and previous financial year as a minimum**	Website, email or hard copy	
Statement of accounts and internal audit report in the format included in the Annual Return form	Website Email Hard Copy	Free Free 10p/sheet
Finalised budget	Email Hardcopy	Free 10p/sheet
Precept	Not Held (nil set)	N/A
Borrowing Approval letter	Not Held (N/A)	N/A
All items of expenditure above £500 (net of VAT)	Website Email Hard Copy	Free Email Hard copy
Financial Standing Orders and Regulations	Website Email Hard Copy	Free Free 10p/sheet
Grants given and received	Email Hard Copy	Free 10p/sheet
List of current contracts awarded and value of contract	Website Email Hard Copy	Free Free 10p/sheet
Members' allowances and expenses NB: Members allowance Nil	Email Hard Copy (expenses only)	Free 10p/sheet

Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) **Current and previous year as a minimum**	Website, email or hard copy	
Council Business Plan (Parish Plan)	Website Email Hard Copy	Free Free 10p/sheet
Annual Report to Parish or Community Meeting (*provided at Annual Town Meeting with minutes*)	Website Email Hard Copy	Free Free 10p/sheet
Quality status	Not held	N/A
Local charters drawn up in accordance with DCLG guidelines	Not held	N/A
Class 4 – How we make decisions (Decision making processes and records of decisions) **Current and previous council year as a minimum**	Website, email or hard copy	
Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)	Website Email Hard Copy	Free Free 10p/sheet
Agendas of meetings (as above)	Website Email Hard Copy	Free Free 10p/sheet
Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meeting.	Website Email Hard Copy	Free Free 10p/sheet

Reports presented to council meetings - nb this will exclude information that is properly regarded as private to the meeting.	Website Email Hard Copy	Free Free 10p/sheet
Responses to consultation papers	Email Hard Copy	Email 10p/sheet
Responses to planning applications	Email Hard Copy	Free 10p/sheet
Bylaws	Not held	N/A
Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) **Current information only**	Website, email or hard Copy	
Policies and procedures for the conduct of council business: Procedural standing orders Committee and sub-committee terms of reference Delegated authority in respect of officers Code of Conduct Policy statements	Website Email Hard copy	Free Free 10p/sheet
Policies and procedures for the provision of services and about the employment of staff: Equality and diversity policy Health and safety policy Recruitment policies including any vacancies Policies and procedures for handling requests for information	Website Email Hard copy	Free Free 10p/sheet

Complaints procedures (including those covering requests for information and operating the publication scheme and handling of vexatious complainants)		
Records management, personal data and access to information policies	Website Email Hardcopy	Free Free 10p/sheet
Schedule of charges (for the publication of information)	Website Email Hard Copy	Free Free 10p/sheet
Class 6 – Lists and Registers **Currently maintained lists and registers only**	Website, email and hard copy or website; some information may only be available by inspection	
Assets Register	Website Email Hard Copy	Free Free 10p/sheet
Register of members' interests	Website Email Hard Copy	Free Free 10p/sheet
Register of gifts and hospitality	Email Hard Copy	Free 10p/sheet
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) **Current information only**	Hard copy or website; some information may only be available by inspection	

Allotments	Email Website Hard Copy	Free Free 10p/sheet
Burial grounds and closed churchyards	Email Website Hard Copy	Free Free 10p/sheet
Community centres and village halls	Email Website Hard Copy	Free Free 10p/sheet
Parks, playing fields and recreational facilities	Email Website Hard Copy	Free Free 10p/sheet
Seating, litter bins, clocks, memorials and lighting	Email Website Hard Copy	Free Free 10p/sheet
Bus shelters	Email Hard Copy	Free 10p/sheet
Public conveniences	Email Website Hard Copy	Free Free 10p/sheet
Agency agreements	Email Hard Copy	Free 10p/sheet
A summary of services for which the council is entitled to recover a fee, together with those fees e.g. Parking charges and season ticket charges Cemetery Fees Memorial Bench Fees	Email Website Hard Copy	Free Free 10p/sheet
Additional Information		
Information not itemised in the lists above		

SCHEDULE OF CHARGES

This describes how the charges have been arrived at and should be published as part of the guide.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @10p per sheet (black & white)	Paper, ink, electricity and resources needed
Disbursement cost	Postage	Actual cost of Royal Mail standard 2nd class

Contact Details:

Town Clerk
Padstow Town Council
Station House
Station Road
Padstow
Cornwall
PL28 8DA

Email: enquiries@padstow-tc.gov.uk
Website: www.padstow-tc.gov.uk
Tel: 01841 532296

PADSTOW TOWN COUNCIL

Complaint Handling Procedure

POLICY/PROTOCOL/PROCEDURE			
Version	1.2	**Comments**	
Approval Date		**Responsible Officer**	Town Clerk
Committee	N/A	**Approval by**	Full Council

VERSION HISTORY		
Date	**Version**	**Comments**
10.6.22	1.0	Draft to be considered by Full Council 28.6.22 to replace 2012 Complaints Handling Code of Practice
28.6.22	1.1	Council approved at their meeting. Draft watermark removed, version history updated.
13.5.25	1.2	Accepted and adopted by Council

REVIEW RECORD		
Date Review initiated	**Review undertaken by i.e. officer/ Cttee/Council**	**Summary of any recommended updates/changes to be made**
June 2022	Draft document pulled together by Support Officer (SD) with comments from Town Clerk.	Draft to be taken to 28.6.22 Full Council meeting for consideration/approval.
May 2025	Town Clerk	Consider Procedure still fit for purpose. No recommended changes.

COMPLAINT HANDLING PROCEDURE

1. PURPOSE OF PROCEDURE

1.1 Padstow Town Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality.

1.2 Padstow Town Council recognises that from time to time there will be concerns expressed by members of the public over the activities of the Council, the Council's administration, its procedures or Committees.

1.3 The purpose of this procedure is to provide a process for dealing with formal complaints about the Council, its administration, its procedures or Committees. It does not specifically focus upon complaints about an employee of the Council that would be more appropriately dealt with as an employment matter, and in accordance with Council's Disciplinary Procedure.

2. VERBAL COMPLAINTS

2.1 On receipt of a verbal complaint by telephone or direct in person, the Clerk will try to satisfy the complainant immediately or as soon as is practicable.

2.2 If the Clerk is unable to answer the complaint immediately, then full details of the complaint together with the complainant's telephone number will be recorded so that a further verbal response can be made as soon as possible.

2.3 If a verbal response is unable to satisfy, then the Clerk will ask that the complaint be put in writing in order that it can be investigated more fully.

3. WRITTEN COMPLAINTS

3.1 On receiving a written complaint by letter, or email, the Clerk will try to settle the complaint directly.

3.2 If the complaint is about the behaviour of an employee or contractor of the Council, the Clerk will also notify the person and offer the opportunity for comment on the manner in which it is intended to try and settle the complaint.

3.3 If necessary, the Clerk will send a holding letter to the complainant to allow further time to address the issues raised.

3.4 The Clerk or Chairman shall bring any written complaint concerning the Council, its administration, its procedures or Committees which has not been settled to the next meeting of the appropriate Committee. The Clerk shall notify the complainant of the date of the meeting. The Complainant will be offered the opportunity to explain the nature of the complaint to the meeting.

3.5 The Clerk shall consult with the Chairman to consider whether the written complaint warrants discussion at a Council meeting in the absence of the press and public, whilst the decision on the complaint shall be announced at the Council meeting in public.

3.6 The Clerk will communicate in writing the decision that has been made by the Council and the nature of any action taken by the Council.

4. COMPLAINTS AGAINST AN EMPLOYEE OF THE COUNCIL

4.1 Complaints made against the actions of an employee will be investigated and dealt with in accordance with the Council's Disciplinary Procedure.

4.2 Any complaint against an employee must be submitted in writing to the Clerk.

4.3 If the complaint is against the actions of the Clerk, it should be submitted in writing to the Chairman.

5. COMPLAINTS AGAINST A MEMBER OF THE COUNCIL

5.1 The Council is unable to investigate complaints against any of its members. Parish and Town Councillors sign up to a Code of Conduct on taking office which adheres to the principles of public life. The Padstow Town Council Code of Conduct can be viewed on the Council website at www.padstow-tc.gov.uk

5.2 If you wish to submit a complaint for breach of this code, you should do so to the Monitoring Officer at Cornwall Council at the following address:

The Monitoring Officer
Cornwall Council
Treyew Road
TRURO
Cornwall

Further information can be accessed from www.cornwall.gov.uk

6 VEXATIOUS COMPLAINANTS

6.1 A vexatious complainant is one who persists unreasonably with their complaints or makes complaints in order to inconvenience the Council rather than genuinely resolve an issue. This may include making serial complaints about different issues or continuing to raise the same or similar matters repeatedly.

6.2 If such complaints affect the Council's ability to undertake its work and provide its services to others, it may alter the way it deals with complaints by not acknowledging or responding to vexatious complaints. Complaints will still be read in case they contain new information.

6.3 If a complainant is to be classified as vexatious they shall be informed so and given a timescale of how long this will remain the case.

6.4 Should a vexatious complainant make a new complaint about new issues these will be treated on their merits.

PADSTOW TOWN COUNCIL

DEALING WITH PRESS AND MEDIA POLICY

POLICY/PROTOCOL/PROCEDURE			
Version	1.0	**Comments**	
Approval Date	13 May 2025	**Responsible Officer**	Town Clerk
Committee	N/A	**Approval by**	Council

VERSION HISTORY		
Date	**Version**	**Comments**
13 May 2025	V1.0 FINAL	Accepted and adopted by Council

REVIEW RECORD		
Date Review initiated	**Review undertaken by i.e. officer/ Cttee/Council**	**Summary of any recommended updates/changes to be made**
May 2025	Town Clerk	Review undertaken inline with Council 's Standing Orders.

Introduction

1.1 The purpose of this Policy is to outline the Council's approach in dealing with the press and media recognising that its relationship with the same helps in its communication with its residents.

1.2 The aim of this Policy is to ensure that the Council is seen to communicate in a professional and objective manner.

2. Press and Media Attendance at Council Meetings

2.1 The Press are permitted to attend all meetings of the Council and its committees and sub-committees, unless excluded under the Public Bodies Admission to Meetings Act 1960. They are not, however, invited to attend informal Council meetings which are fact finding sessions only and not scheduled official Council meetings.

2.2 Agenda, reports and minutes relevant to the meeting (unless excluded under the Public Admission to Meetings Act 1960) are available via the Council website www.padstow-tc.gov.uk/meetings/ for public, press and media. Copy of agenda provided at each meeting of the Council.

2.3 The Press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.

2.4 The Chair of the Council/or Committee will preside over the meeting and manage the same in accordance with Padstow Town Council's Standing Orders.

3. Broadcasting, Use of Social Media at Council Meetings

3.1 The right to record, film and to broadcast meetings of the Council, committees and sub-committees is established following the Local Government Audit and Accountability Act 2014. Appendix 1 to this Policy outlines the adopted model in this regard.

4. Notice Displayed at All Meetings of the Council

4.1 The room in which a meeting of the Council is held where the public and press are invited to attend will display a notice in the area in which they are invited to sit outlining:

"*This meeting has been advertised as a public meeting and as such could be filmed or recorded by broadcasters, the media or members of the public. Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, we cannot guarantee this, especially if you are speaking or taking an active role.*"

5. Dealing with Press and Media

5.1 Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

5.2 Issuing of press releases shall be processed by the Town Clerk in consultation with the Chair of the Council, or in their absence the Vice-Chair of the Council.

5.3 If the Press Release relates to a specific item relevant to a Council Committee the Town Clerk will process the Press Release as advised in 5.1 above but also consulting the relevant Committee Chair, or in their absence the Committee Vice-Chair.

5.4 All requests from the press or other media for an oral or written comment or statement from the Council shall be processed by the Town Clerk, in consultation as detailed in 5.2 and 5.3 above.

6. Pre-Election Period (formally known as "purdah")

6.1 During this time, factual press statements for public information purposes may still be issued but with limitations, in particular not identifying individual councillors or groups of councillors.

7. Media Contact

7.1 All press and media enquiries to:
Town Clerk, Padstow Town Council Offices, Station House, Padstow, Cornwall, PL28 8DA
Email: enquiries@padstow-tc.gov.uk
Tele: 01841 532296

APPENDIX 1

PADSTOW TOWN COUNCIL

GUIDELINES FOR BROADCASTING OR USING SOCIAL MEDIA AT COUNCIL MEETINGS POLICY

The right to record, film and to broadcast meetings of the Council, Committees and Sub Committees is established following the Local Government Audit and Accountability Act 2014. This is in addition to the rights of the press and public to attend such meetings.

1. The Council will make the Council chamber available to the public 15 minutes before and after meetings for the setting up and removal of any filming equipment.

2. Members of the public are permitted to film or record meetings to which they are permitted access, in a non-disruptive manner and only from public areas.

3. Meetings or parts of meetings from which the press and public are excluded may not be filmed or recorded.

4. The use of digital and social media recording tools, for example Twitter, blogging or audio recording will be allowed as long as it is carried out in a non-disruptive manner.

5. Councillors who choose to use social media during Council meetings must refrain from disrupting other Councillors and Council debate.

6. Councillors who choose to record, film or broadcast meetings including the use of social media are reminded of their responsibilities under the Council's Code of Conduct including the confidentiality requirements.

7. While those attending meetings are deemed to have consented to the filming, recording or broadcasting of meetings, those exercising the rights to film, record and broadcast must respect the rights of other people attending under the Data Protection Act 1998.

8. The Chairman of the meeting, or any such Council representative as designated by the Chairman, has the authority to stop a meeting and take appropriate action if any person contravenes these principles or is deemed to be recording in a disruptive manner.

9. Any person or organisation choosing to film, record or broadcast any meeting of the Council is responsible for any claims or other liability resulting from them so doing and by choosing to film, record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.

10. The Council asks those recording proceedings not to edit the film or recording in a way that could lead to misinterpretation of the proceedings, or infringe the core values of the Council. This includes refraining from editing an image or views expressed in a way that may ridicule, or show lack of respect towards those being filmed or recorded.

11. The Council will display the requirements as to filming, recording and broadcasting at its meeting venues and those undertaking these activities will be deemed to have accepted them whether they have read them or not.

12. The Council will advertise that all meetings are held in public and could be filmed or recorded by broadcasters, the media or members of the public.

13. The Council will publish the guidance on the filming, recording and broadcasting of meetings on its website.

SAMPLE NOTICE TO BE DISPLAYED AT ALL MEETINGS OF THE COUNCIL, ITS COMMITTEES AND SUB COMMITTEES

This meeting has been advertised as a public meeting and as such could be filmed or recorded by broadcasters, the media or members of the public.

*Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, **we cannot guarantee this**, especially if you are speaking or taking an active role.*

Council Offices
Station House
Station Road
Padstow
Cornwall, PL28 8DA

Kathy Pemberton
Town Clerk
Email: enquiries@padstow-tc.gov.uk
Website: www.padstow-tc.gov.uk
Tel: 01841 532296